

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOHN B. ADRAIN,

Plaintiffs

V.

EDGE PRODUCTS LLC, SUPERCHIPS,
INC. and GRANATELLI MOTOR
SPORTS, INC.

Defendants

§
§
§
§
§
§
§
§
§
§

Case No. 4:10-cv-00885

GRANATELLI MOTOR SPORTS, INC.'S ORIGINAL ANSWER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Granatelli Motor Sports, Inc. ("Granatelli"), Defendant, and files this Original Answer and would respectfully show the Court as follows:

SPECIFIC RESPONSES

1. Defendant denies the allegations contained in paragraph 1 of the Plaintiff's Original Complaint.
2. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 2 of Plaintiff's Original Complaint.
3. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 3 of Plaintiff's Original Complaint.
4. Defendant admits the allegations contained in paragraph 4 of Plaintiff's Original Complaint.
5. Defendant admits the allegations contained in paragraph 5 of the Plaintiff's Original Complaint.

6. Defendant admits the allegations contained in paragraph 6 of Plaintiff's Original Complaint.

7. Defendant denies the allegations contained in paragraph 7 of the Plaintiff's Original Complaint, in particular that the matter in controversy exceeds the sum of \$75,000.

8. Defendant denies the allegations contained in paragraph 8 of the Plaintiff's Original Complaint.

9. Defendant denies the allegations contained in paragraph 9 of the Plaintiff's Original Complaint.

10. Defendant denies the allegations contained in paragraph 10 of the Plaintiff's Original Complaint.

11. Defendant admits the allegations contained in paragraph 11 of Plaintiff's Original Complaint.

12. Defendant admits the allegations contained in paragraph 12 of Plaintiff's Original Complaint.

13. Defendant denies the allegations contained in paragraph 13 of the Plaintiff's Original Complaint.

14. Defendant denies the allegations contained in paragraph 14 of the Plaintiff's Original Complaint.

15. Defendant denies the allegations contained in paragraph 15 of the Plaintiff's Original Complaint.

16. Defendant denies the allegations contained in paragraph 10 of the Plaintiff's Original Complaint.

17. Defendant denies the allegations contained in paragraph 17 of the Plaintiff's Original Complaint.

18. Defendant admits the allegations contained in paragraph 18 of Plaintiff's Original Complaint.

19. Defendant admits the allegations contained in paragraph 19 of Plaintiff's Original Complaint.

20. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 20 of Plaintiff's Original Complaint.

21. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 21 of Plaintiff's Original Complaint.

22. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 22 of Plaintiff's Original Complaint.

23. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 23 of Plaintiff's Original Complaint.

24. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 24 of Plaintiff's Original Complaint.

25. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 25 of Plaintiff's Original Complaint.

26. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 26 of Plaintiff's Original Complaint.

27. Defendant admits the allegations contained in paragraph 27 of Plaintiff's Original Complaint.

28. Defendant admits the allegations contained in paragraph 28 of Plaintiff's Original Complaint.

29. Defendant admits the allegations contained in paragraph 29 of Plaintiff's Original Complaint.

30. Defendant denies the allegations contained in paragraph 30 of the Plaintiff's Original Complaint.

31. Defendant denies the allegations contained in paragraph 31 of the Plaintiff's Original Complaint.

32. Defendant denies the allegations contained in paragraph 32 of the Plaintiff's Original Complaint.

33. Defendant admits the allegations contained in paragraph 33 of Plaintiff's Original Complaint.

34. No response is required to paragraph 34.

35. Defendant denies the allegations contained in paragraph 35 of the Plaintiff's Original Complaint.

36. Defendant denies the allegations contained in paragraph 36 of the Plaintiff's Original Complaint.

37. Defendant denies the allegations contained in paragraph 37 of the Plaintiff's Original Complaint.

38. Defendant denies the allegations contained in paragraph 38 of the Plaintiff's Original Complaint.

39. No response is required to paragraph 39.

40. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 40 of Plaintiff's Original Complaint.

41. Defendant lacks knowledge or information sufficient to form a belief about the truth of the allegations in paragraph 41 of Plaintiff's Original Complaint.

42. No response is required to paragraph 42.

43. Defendant denies the allegations contained in paragraph 43 of the Plaintiff's Original Complaint.

44. Defendant denies the allegations contained in paragraph 44 of the Plaintiff's Original Complaint.

45. Defendant denies the allegations contained in paragraph 45 of the Plaintiff's Original Complaint.

46. Defendant denies the allegations contained in paragraph 46 of the Plaintiff's Original Complaint.

47. Defendant denies the allegations contained in paragraph 47 of the Plaintiff's Original Complaint.

48. Defendant denies the allegations contained in paragraph 48 of the Plaintiff's Original Complaint.

49. Defendant denies the allegations contained in paragraph 49 of the Plaintiff's Original Complaint.

AFFIRMATIVE DEFENSES

50. Plaintiff is not entitled to relief due to unclean hands.

51. Plaintiff's claims in whole or in part are barred by the doctrine of waiver, estoppels or laches.

52. Plaintiff's claims are barred by claim and issue preclusion.

WHEREFORE, PREMISES CONSIDERED, Defendant Granatelli Motor Sports, Inc. prays that Plaintiff take nothing by this suit and that the Court grant such further and other relief to which Defendant shows itself justly entitled.

Respectfully submitted,

By: /s/ Anthony Icenogle

State Bar No. 10382948

Southern District No. 27764

ICENOGLE & SULLVIAN, LLP

6805 N. Capital of Texas Hwy., Suite 220

Austin, Texas 78731

(512) 342-9519

(512) 342-9555 Fax

ATTORNEYS FOR DEFENDANT,
GRANATELLI MOTOR SPORTS, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served this 6th day of July, 2010, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(c). Any other counsel of records will be served by, electronic mail and/or facsimile transmission and/or first class mail on this same date.

/s/ Anthony Icenogle